IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7848 OF 2006

Railwaymen's Co-operative
Hsg. Soc. Ltd. & Ors. ..Petitioners.

Vs.

Shri A.G.Vaswani & Ors. ..Respondents.

Mr.Y.D.Mulani for the Petitioners.
Mr.M.R.Phal for the Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 11TH JANUARY, 2007

P.C. :

The impugned order has declared the election of Petitioner Nos.2, 3 and 4, held on 16.2.2002 as illegal and the same has been quashed and set aside. Further, the Deputy Registrar, Co-operative Societies (K/West Ward) has been appointed as an administrator for holding elections afresh immediately.

2. It is unfortunate that the Respondents cannot take the benefit of the fruits of their victory. That is for the simple reason that the term of Petitioner Nos.2, 3 and 4, in any event, comes to an end in June this year. Further, I am informed that

it is difficult to have any administrator appointed till after 31.3.2007 in view of the General Elections in the State. It is only for that reason that it has not been necessary for me to consider the rival contentions between the parties in this Writ Petition.

3. The Petitioner however agrees and undertakes that the fresh elections shall be held as soon as possible after 31.3.2007 and the same shall be conducted by the administrator to be appointed by the Deputy Registrar, as provided in the impugned order.

4. Needless to add that the Collector will conduct the elections as per law.

5. Petition is accordingly disposed of.